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09/940,450	08/29/2001	Jeff S. Eder		5509

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JEFF EDER  
19108 30TH DRIVE SE  
MILL CREEK, WA 98012

EXAMINER

GRAHAM, CLEMENT B

ART UNIT PAPER NUMBER

3628

DATE MAILED: 05/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/940,450

Applicant(s)

EDER, JEFF S.

Examiner

Clement B Graham

Art Unit

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 34-60 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 34-60 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6. 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 101***

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefore, subject to the conditions and requirements of this title.

Claim1 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter, particularly, an abstract idea.

The Examiner notes that the disclosed invention is within the technological arts. The claimed invention is also noted not to be a computer program, data structure, a natural phenomenon, and a non-descriptive material per se. The claimed invention does not include a series of steps to be performed by a computer. The claimed invention also is not a product for performing a process, not it is a specific machine or manufacture. The claimed invention is not a specific tangible machine or process for facilitating a business transaction. Claim 1 do not appear to correspond to a specific machine or manufacture disclosed within the instant specification and thus encompasses any product of the class configured in any manner to perform the underlying process. The claimed invention of claim 1, also does not include a post-computer process activity or a pre-computer process activity. Thus, no physical transformation is performed, no practical application in the technological art is found. Consequently, claim 1 is analyzed based upon the underlying process, and are thus rejected as being directed to a non-statutory process.

***Claim Rejections - 35 USC § 102***

2. Rejection under 35 U.S.C 102(e), Patent Application Publication or Patent to Another with Earlier Filing Date, in view of the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claim 34-40, 42-48, 50-52, are rejected under 35 U.S.C. 102(e) as being anticipated by Bowman-Amuah U.S Patent 6,332,163).

As per claims 34-35, Bowman-Amuah discloses a computer readable medium having sequences of instructions stored therein, which when executed cause the processor in a computer to perform a data preparation method, comprising: integrating data from a variety of systems using xml. (See column 41 and 42 lines 5-30). Bowman-Amuah also discloses a common schema. (See column 52- lines 45 and column 281 lines 50-55).

As per claim 36, Bowman-Amuah discloses a the computer readable medium of claim 35 wherein the designated organization is a single product, a group of products, a division, a company, a multi-company corporation or a value chain. (See column 3 line 65 and column 4 line 5).

As per claim 38, Bowman-Amuah discloses the computer readable medium of claim 37 where the data structure is a hierarchy.(See column 14 line 5).

As per claim 39, Bowman-Amuah discloses the computer readable medium of claim 34 where the common schema includes a data dictionary. (See column 4 line 30).

As per claim 40, Bowman-Amuah discloses the computer readable medium of claim 39 where the data dictionary defines standard data attributes from the group consisting of account numbers, components of value, currencies, elements of value, units of measure and time periods. (See column 4 lines 30-45).

As per claim 42, Bowman-Amuah discloses the the computer readable medium of claim 34 wherein at least a portion of the data is from the Internet or an external database. (See column 42 line 45).

As per claim 43, Bowman-Amuah discloses the computer readable medium of claim 34 where the data preparation method further comprises converting data to match the common schema.(See column 4 line 55).

As per claim 44, Bowman-Amuah discloses (amended) A data preparation method, comprising:

integrating data from a variety of systems using xml and a common schema. (See column 41 and 42 lines 5-30 and column 52- lines 45 and column 281 lines 50-55).

As per claim 45, Bowman-Amuah discloses the method of claim 44 where the common schema includes an organization designation and data structure. (See column 14 line 5).

As per claim 46, Bowman-Amuah discloses the method of claim 45 wherein the designated organization is a single product, a group of products, a division, a company, a multi-company corporation or a value chain. (See column 3 line 65 and column 4 line 5).

As per claim 47, Bowman-Amuah discloses the method of claim 44 where the common schema includes a data dictionary. (See column 4 line 30).

As per claim 48, Bowman-Amuah discloses the method of claim 47 where the data dictionary defines standard data attributes from the group consisting of account numbers, components of value, currencies, elements of value, units of measure and time periods. (See column 4 lines 30-45).

As per claim 50, Bowman-Amuah discloses the method of claim 44 wherein at least a portion of the data is from the Internet or external databases. (See column 42 line 45).

As per claim 51, Bowman-Amuah discloses the method of claim 44 where the data preparation method further comprises converting and storing data in accordance with the common schema. (See 48 line 50-65 and column 6 line 45).

As per claim 52, Bowman-Amuah discloses a computer readable medium having sequences of instructions stored therein, which when executed cause the processors in a plurality of computers connected via a network to perform the data preparation method of claim 44.(See column 219 lines 5-10).

4. Claims 41, 49,53-60, are rejected under 35 U.S.C. 103(a) as being unpatentable Bowman-Bowman-Amuah (Hereinafter Bowman-Amuah U.S Patent 6,332,163).

As per claim 41, Bowman-Amuah discloses the computer readable medium of claim 34 where data is obtained from the group consisting of advanced financial systems.(See column 8 lines 25-30) Bowman-Amuah do not explicitly teach , basic financial systems, alliance management systems, brand management systems, customer relationship management systems, channel management systems, intellectual property management systems, process management systems, vendor management systems, operation management systems, sales management systems, human resource systems, accounts receivable systems, accounts payable systems, capital asset systems, inventory systems, invoicing systems, payroll systems and purchasing systems. However receiving data related to different groups of systems is old and well known in the art of transmission of data.

Therefore it would have been obvious to one of ordinary skill in the art at he time the invention was made that the teachings of Bowman-Amuah would have had a feature in place that will allow for the performance of these functions. The benefit would have been for a system to be receiving and transmitting a plurality of data.

As per claim 49, Bowman-Amuah discloses the computer readable medium of claim 34 where data is obtained from the group consisting of advanced financial systems.(See column 8 lines 25-30) Bowman-Amuah do not explicitly teach , basic financial systems, alliance management systems, brand management systems, customer relationship management systems, channel management systems, intellectual property management systems, process management systems, vendor management systems, operation management systems, sales management systems, human resource systems, accounts receivable systems, accounts payable systems, capital asset systems, inventory systems, invoicing systems, payroll systems and purchasing systems. However receiving data related to different groups of systems is old and well known in the art of transmission of data.

As per claim 53, Bowman-Amuah discloses a computer implemented organization system, comprising:  
networked computers each with a processor having circuitry to execute instructions; a storage device available to each processor with sequences of instructions stored therein, which when executed cause the processors to. (Note abstract and see column 10 lines 10-30). Bowman-Amuah do not explicitly teach transform data from a variety of systems into a probabilistic model that quantifies the value contribution of elements of value to a value of an enterprise by category; and capturing proposed changes in element value drivers, using the element impact model to simulate the impact of the proposed changes on enterprise financial performance, and displaying the result of the simulation using a paper document or electronic display.

However teach transforming data from a variety of systems into a probabilistic model that quantifies the value contribution of elements of value to a value of an enterprise by category; and capturing proposed changes in element value drivers, using the element impact model to simulate the impact of the proposed changes on enterprise financial performance, and displaying the result of the simulation using a paper document or electronic display is old and well known in the art.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made the teachings of Bowman-Amuah could have been adaptive in performing these functions. The benefit would have been to have to create a networked of computers each with a processor having circuitry to execute instructions.

As per claim 54, Bowman-Amuah do not explicitly teach a computer readable medium having sequences of instructions stored therein, which when executed cause the processors in a plurality of computers connected via a network to perform an organization method, comprising:

integrating data from a variety of systems into models that quantify element of value

impact on a value of an enterprise by category of value;

determining a value for each of the categories of value;

combining the category values and element impacts to determine a value for each element of value; and

displaying the value of the enterprise and the value of each of the elements of value using a paper document or electronic display.

However integrating data from a variety of systems into models that quantify element of value impact on a value of an enterprise by category of value, determining a value for each of the categories of value, combining the category values and element impacts to determine a value for each element of value, and displaying the value of the enterprise and the value of each of the elements of value using a paper document or electronic display is old and well known in the art.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to include these functions in order to pass data from a variety of systems.

The benefit would have been to obtain a results based on the assimilation and valuation technique applied.

As per claim 55, Bowman-Amuah discloses the computer readable medium of claim 54 wherein the enterprise is a single product, a group of products, a division or a company. (See column 3 line 65 and column 4 line 5).

As per claims 56, Bowman-Amuah discloses the computer readable medium of claim 34 where data is obtained from the group consisting of advanced financial systems.(See column 8 lines 25-30) Bowman-Amuah do not explicitly teach , basic financial systems, alliance management systems, brand management systems, customer relationship management systems, channel management systems, intellectual property management systems, process management systems, vendor management systems, operation management systems, sales management systems, human resource systems, accounts receivable systems, accounts payable systems,

Art Unit: 3628

capital asset systems, inventory systems, invoicing systems, payroll systems and purchasing systems. However receiving data related to different groups of systems is old and well known in the art of transmission of data.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that the teachings of Bowman-Amuah could have created a system that would perform these functions.

The benefit would have been for a system to be receiving and transmitting a plurality of data.

As per claim 57, Bowman-Amuah does not explicitly teach the computer readable medium of claim 54 where the elements of value are selected from the group consisting of relationships, brands, channels, customers, employees, intellectual property, partners, processes, production equipment and vendors.

However elements of value are selected from the group consisting of relationships, brands, channels, customers, employees, intellectual property, partners, processes, production equipment and vendors is old and well known in the art.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that the teachings of Bowman-Amuah could have been adaptive in performing these functions. The benefit would have been selecting of various elements in conducting their business.

As per claim 58, Bowman-Amuah do not explicitly teach discloses the computer readable medium of claim 54 wherein the models that quantify element impact are from the group consisting of neural networks; regression trees; projection pursuit regression;

Art Unit: 3628

generalized additive model (GAM); redundant regression network; Bayes Regression, linear regression; support vector method, stepwise regression, entropy minimization, minimum message length (MML), Markov, LaGrange, Bayesian and path analysis. However models that quantify element impact are from the group consisting of neural networks; regression trees; projection pursuit regression; generalized additive model (GAM); redundant regression network; Bayes Regression, linear regression; support vector method, stepwise regression, entropy minimization, minimum message length (MML), Markov, LaGrange, Bayesian and path analysis. Is old and well known in the art. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that the teachings of Bowman-Amuah could have been adaptive in performing these functions. The benefit would have been to have models that quantify element impact are from the group consisting of neural networks

As per claim 59, Bowman-Amuah do not explicitly teach the computer readable medium of claim 54 where the categories of value are selected from the group consisting of current operation, real options and market sentiment.

However performing functions such as categories of value and selected from the group consisting of current operation, real options and market sentiment is old and well known in the art.

Therefore it would have been obvious to one of ordinary skill in art at the time the invention was made that the teachings of Bowman-Amuah if applied could have perform these functions. The benefit would have been to select categories consisting of real options.

As per claim 60, Amauh do not explicitly teach the computer readable medium of claim 54 wherein the contribution of each element of value to a value of the enterprise is determined by its net impact on the categories of value and the other elements of value for the enterprise.

However functions such as contribution of each element of value to a value of the enterprise is determined by its net impact on the categories of value and the other elements of value for the enterprise is old and well known in the art.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention made to that the teachings of Bowman-Amuah could have been adaptive in performing these functions. The benefit would have been to determined net impact on the different categories .

#### Conclusion

5. The prior art of record and not relied upon is considered pertinent to Applicants disclosure.

Roberts et al (US Patent 4,893,804) teaches method and apparatus for insuring the funding of future liability of uncertain cost.

(US 6,252,869 Patent) teaches data network security system and method.

.Gaff (US Patent 5,802,501) teaches system and methods for computing to support decomposing property into separately valued components.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement B Graham whose telephone number is 703-305-1874. The examiner can normally be reached on 7am to 5pm.


Art Unit: 3628

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on 703-308-0505. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-0040 for regular communications and 703-305-0040 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CG

May 19, 2003

  
**JEFFREY PWU**  
**PPH EXAMINER**